

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED APR 11 2013

DAVID LOPEZ,
Petitioner,

v.

GERALD ROZUM, et al.,
Respondents.

CIVIL ACTION

No. 12-2270

ORDER

AND NOW, this 11th day of April, 2013, upon careful and independent consideration of the petition for a writ of habeas corpus, the response, the reply, and available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DENIED**;
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that a reasonable jurist would debate the correctness of this ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:


HARVEY BARTLE, III

ENTERED
APR 11 2013
CLERK OF COURT